



## Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (559) 224-1523, FAX: (559) 241-6277

April 14, 2022

**SENT BY ELECTRONIC MAIL**

Wade Crowfoot, Secretary  
Natural Resources Agency  
1416 9th Street  
Sacramento, CA 95814  
[Wade.Crowfoot@Resources.Ca.Gov](mailto:Wade.Crowfoot@Resources.Ca.Gov)

Re: Executive Order N-7-22: Request for Proposed Activities to be Conducted Under Suspension

Dear Secretary Crowfoot,

On behalf of Westlands Water District (“District”), I write to respectfully request that you determine, pursuant to paragraph 5 of Executive Order N-7-22 (March 28, 2022), the activities described below are eligible to be conducted by the District under the suspension of Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division (“CEQA”), and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto (“Paragraph 5 Suspension”).

The District serves as the Groundwater Sustainability Agency (“GSA”) for the Westside Subbasin of the San Joaquin Valley Groundwater Basin (Subbasin No. 5-22.09) (“Westside Subbasin”), which, on July 19, 2016, the California Department of Water Resources designated as a high-priority basin experiencing critical overdraft. Since adopting the Westside Subbasin Groundwater Sustainability Plan (“GSP”) on January 8, 2020, the District has been taking actions to avoid undesirable results and to support sustainable management of the Westside Subbasin by 2040. Consistent with its GSP<sup>1</sup> and those objectives, last week, the District’s Board of Directors

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<sup>1</sup> Specifically, the acquisition is intended to further the GSP, Project and Management Actions, Project No. 4. As explained in the GSP:

Land subsidence near Checks 16, 17 and 20 of the San Luis Canal/California Aqueduct during the 2013-2016 drought highlighted the necessity to develop a mechanism for the GSA to reduce groundwater pumping to avoid or mitigate undesirable results. With respect to the San Luis Canal at Checks 16, 17, and 20, any amount of additional land subsidence, according to DWR operations staff (DWR personal communication, 2018), will significantly and adversely impact the ability for the

authorized the District to acquire up to 689.98 acres of land owned by Brooks Farms (“Brooks Farms”). If the District is successful in acquiring the 689.98 acres, it is the District’s intent to permanently fallow those lands. Consistent with its prior acquisition of land in the District, as long as the lands are owned by District, the lands will not be irrigated, and, if the lands are subsequently sold, the District would: (1) impose a non-irrigation covenant, and (2) sever from the lands the right to an allocation of District water supplies and overlying groundwater rights. (The District does not presently have any plan to resell the 689.98 acres.) A condition precedent to the acquisition of Brooks Farms is either: (a) you determining the acquisition is eligible to be conducted under the Paragraph 5 Suspension, or (b) compliance with CEQA.

Of the 689.98 acres of lands that comprise Brooks Farms, approximately 442 acres are planted in almond trees; historically when water has been available the additional acreage has been planted in annual crops. Brooks Farms also includes one deep well, 2000 ft deep with a 700 horse-power electric motor that is capable of pumping 2,200 gallons of water per minute. During years in which the District receives a low allocation of Central Valley Project water, groundwater pumped by this well is a primary source of water to irrigate these lands, all of which overlie the Westside Subbasin and are either in or immediately adjacent to an area considered “subsidence prone”. See attached marketing brochure for additional detail.<sup>2</sup>

Subject to the condition precedent referenced above, the authorization and direction provided by the District’s Board of Directors is to acquire Brooks Farms:

1. Including: (a) the right to apply for and receive an allocation of Central Valley Project surface water from the District, and (b) the overlying right to pump groundwater, and,
2. To remove the almonds trees and permanently fallow the lands.

The action authorized by the Board of Directors was approved specifically to reduce demands for surface and ground water, with the intended results of providing “in-lieu recharge” of the Westside Subbasin, and thus supporting efficient use of water, preserving water supplies, and addressing impacts of drought. Without the Paragraph 5 Suspension, the District would have to ensure CEQA compliance (estimated at a minimum of 6 months) prior to deciding whether to acquire Brooks Farms. A determination that the acquisition falls within the Paragraph 5 Suspension should allow the District to acquire Brooks Farms before the more intense water demands of the summer

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USBR and DWR to convey water without implementing new design and construction measures to mitigate the impacts to aqueduct operations from subsidence. Accordingly, the GSA has developed a process to require groundwater pumping reductions in portions of the Subbasin and when necessary to immediately and directly relieve the groundwater pumping stress when continued pumping would produce significant undesirable results.

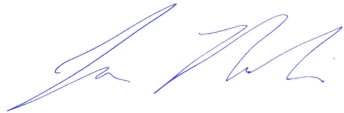
GSP, at p. 4-23. Brooks Farms is near Checks 16 and 17.

<sup>2</sup> The attached marketing brochure describes an opportunity related to 856.39 +/- acres. Of that land, the marketing brochure proposes fee title be acquired to 698.03 acres and assignment of an existing lease to 158.36 acres. At this time, given the District’s objectives as presented below, the District is authorized to acquire up to 689.98 acres. It is not authorized to offer to acquire the lease (158.36 acres) or to acquire land on which a shop is located (8.05 acres). The soils map (referencing 248 acres) and the almond field map (referencing 83, 86, 120, and 153 acres for a total of 442 acres) in the marketing brochure depict the lands the District will seek to acquire.

months. It is for these reasons the District respectfully requests that you determine the acquisition of Brooks Farms is eligible to be conducted under the Paragraph 5 Suspension.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon D. Rubin". The signature is fluid and cursive, with the first name "Jon" and last name "Rubin" clearly distinguishable.

Jon D. Rubin  
Assistant General Manager & General Counsel

cc: Karla Namath (by electronic mail)  
Nancy Vogel (by electronic mail)  
Tom Gibson (by electronic mail)





**HOEKSTRA & ASSOCIATES, INC.**

## **BROOKS FARMS - THREE ROCKS**



**856.39 AC**

**FOR SALE**

**\$9,300,000**

### **AGRICULTURAL REAL ESTATE PROFESSIONALS**

**Dan Hoekstra**

**(805) 839-8292 cell**

**[dan@hoekstra-associates.com](mailto:dan@hoekstra-associates.com)**

**CalBRE-01942198**

**Russell Waymire**

**(559) 977-6000 cell**

**[russ@hoekstra-associates.com](mailto:russ@hoekstra-associates.com)**

**CalBRE-01763629**





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**856.39 ACRES**

**\$9,300,000**

- Location:** The subject property is located at 17001 Derrick Ave, Cantua Creek, CA approximately 3.5 miles north of I-5.
- Description:** This opportunity is 856.39 +/- acres on thirteen parcels with producing almonds and open land. The property has multiple water sources; 1 irrigation well, and contract water through Westlands Water District. This ranch offers long term sustainable income and potential tax benefits.
- Parcel #'s:** Fresno County APNs 038-221-03s, 04, 05s, 06s, 08s, 10s & 14s; 045-040-24s & 26s; 045-050-01s, 045-090-43s & 58s and a long term lease on the almonds on APN 038-221-02
- Zoning:** AE20 - Exclusive Agriculture - 20 Acre minimum parcel size
- Crops:** Approximately, 592 ac of high yielding almonds (planted 2005, 2006, 2007 & 2013) at 22' x 14'. The almonds are Nonpareil, Monterey, Butte, Price, Aldrich and Wood Colony, (see ranch map). Almond yields: 2018 - 2,727 lbs/ac, 2019 - 3,363 lbs/ac, 2020 - 3,213 lbs/ac, 2021 - 2,530 lbs/ac. Historic yields are available upon request.
- Soil:** According to USDA California Revised Storie Index, Class 1 and 2 soils; see attached soils map for description.
- Water & Irrigation:** This entire ranch has contract water in Westlands Water District and 1 deep well. The well is 2000 ft deep with a 700 HP electric motor and pumps 2200 GPM. The almonds are irrigated with the well and District water from reservoirs, booster pumps, filter stations and fan jet systems.
- SGMA:** The Sustainable Groundwater Management Act passed in 2014 requires groundwater basins be sustainable by 2040 and requires Groundwater Sustainability Plans (GSP) by 2020. GSPs may limit the amount of well water pumped. For more information go to <https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management>
- Price/Terms:** \$9,300,000 (\$10,860/acre) cash at close of escrow. Does not include cultural costs or 2022 crop.

*The information contained herein has been obtained from reliable sources, however, the accuracy cannot be guaranteed. We assume no responsibility for errors, omissions, or misrepresentations. This offer is subject to change, withdrawal, or prior sale at any time without notice. Contact your legal and tax consultants for further instruction.*





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## Photos









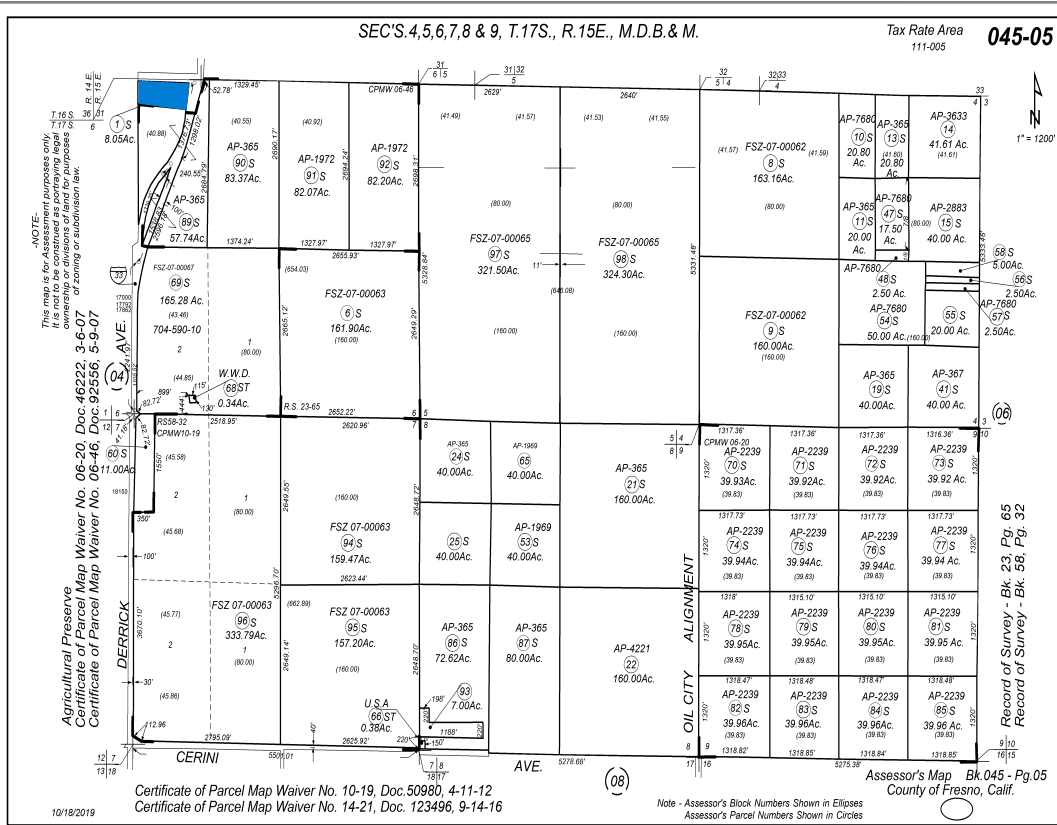


# HOEKSTRA & ASSOCIATES, INC.

Assessors Map

Tax Map

17001 S Derrick Ave, Cantua Creek, CA 93608



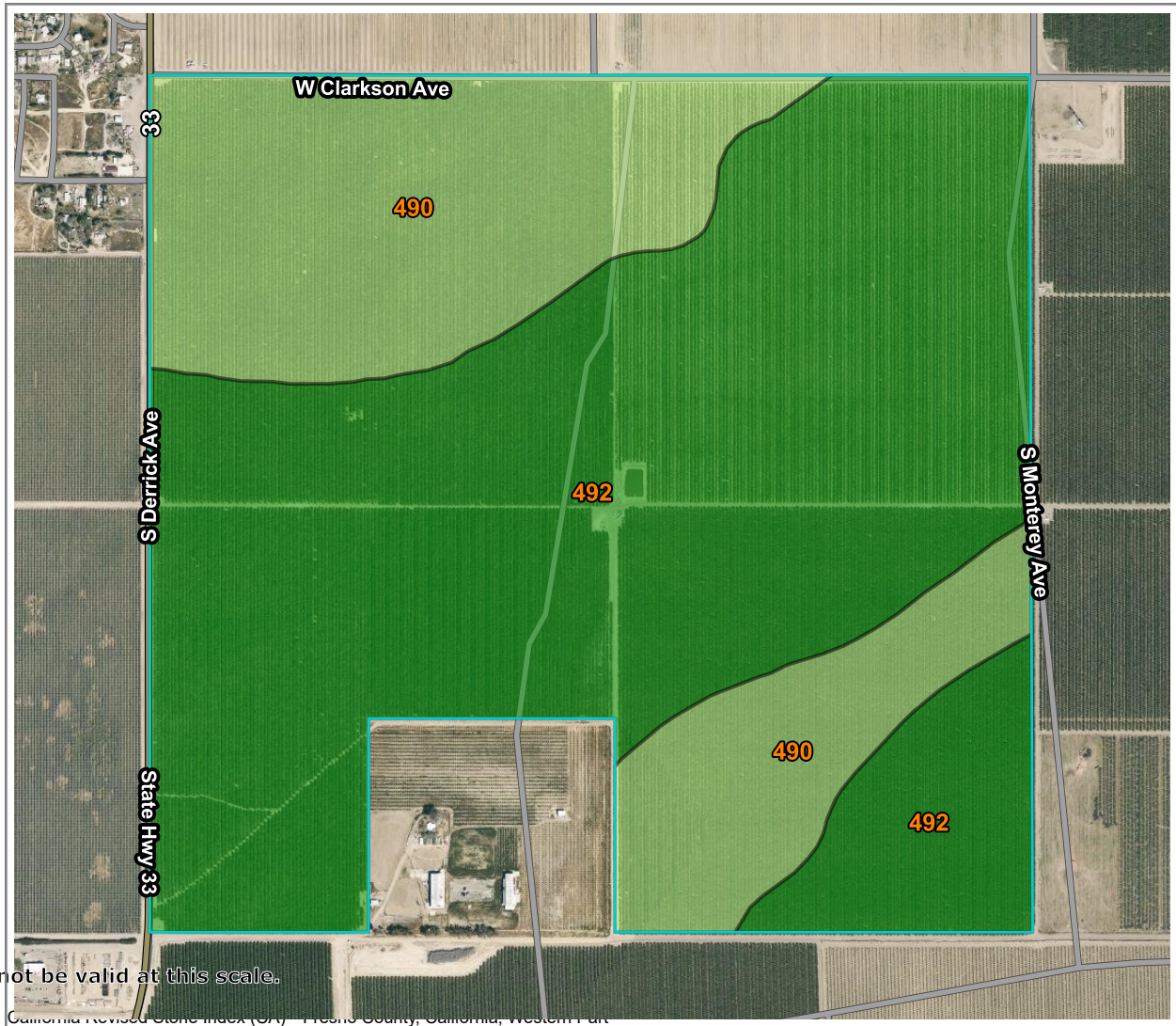


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California Revised Storie Index (CA)—Fresno County, California, Western Part

## Soils Map

733300 733600 733900 734200 734500 734800 735100 735400 735700 736000



Soil Map may not be valid at this scale.

California Revised Storie Index (CA)—Fresno County, California, Western Part

33300 733600 733900 734200 734500 734800 735100 735400 735700 736000

Map Scale: 1:13,600 if printed on A landscape (11" x 8.5") sheet.



## California Revised Storie Index (CA)

Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 10N WGS84

### Natural Resources Conservation Service

Web Soil Survey					
Map unit symbol	Map unit name	Natural Resource Inventory Rating	Component Name (percent)	Acres in AOI	Percent of AOI
490	Cerini sandy loam, subsided, 0 to 5 percent slopes	Grade 2 - Good	Cerini, sandy loam, subsided (85%)	193.2	31.4%
492	Panoche loam, subsided, 0 to 5 percent slopes	Grade 1 - Excellent	Panoche, loam, subsided (85%)	421.1	68.6%
Totals for Area of Interest				614.3	100.0%

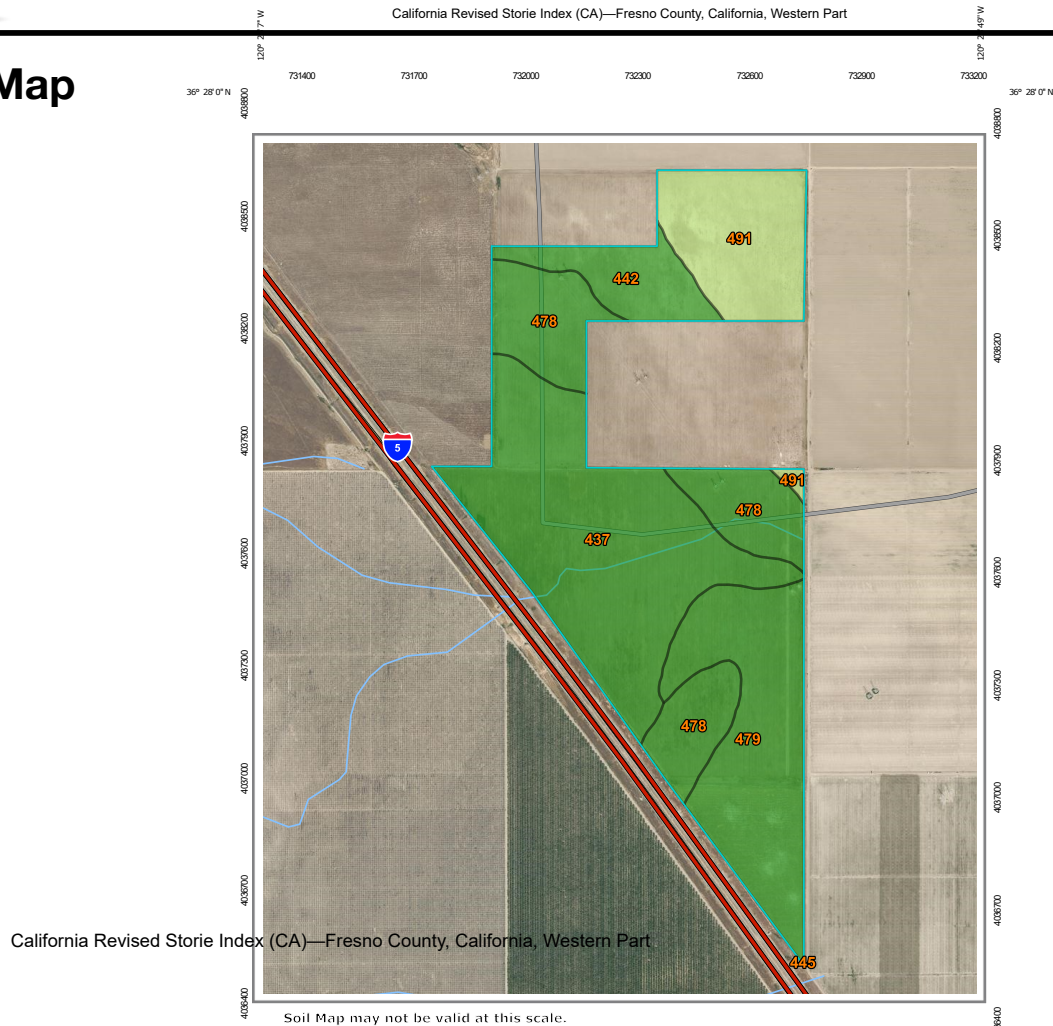




# HOEKSTRA & ASSOCIATES, INC.

California Revised Storie Index (CA)—Fresno County, California, Western Part

## Soils Map



California Revised Storie Index (CA)—Fresno County, California, Western Part

Soil Map may not be valid at this scale.

## California Revised Storie Index (CA)

Map Scale: 1:12,400 if printed on A portrait (8.5" x 11") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

Map unit symbol	Map unit name	Rating	Component name (percent)	Acres in AOI	Percent of AOI
437	Panoche sandy loam, 0 to 2 percent slopes	Grade 1 - Excellent	Panoche, sandy loam (85%)	91.4	36.8%
442	Panoche clay loam, 0 to 2 percent slopes	Grade 1 - Excellent	Panoche, clay loam (87%)	17.5	7.1%
445	Excelsior sandy loam, 0 to 2 percent slopes, MLRA 17	Grade 1 - Excellent	Excelsior (85%)	0.0	0.0%
478	Cerini sandy loam, 0 to 2 percent slopes, MLRA 17	Grade 1 - Excellent	Cerini (90%)	47.8	19.3%
479	Cerini clay loam, 0 to 2 percent slopes	Grade 1 - Excellent	Cerini, clay loam (85%)	56.4	22.7%
491	Cerini clay loam, subsided, 0 to 5 percent slopes	Grade 2 - Good	Cerini, clay loam, subsided (85%)	34.9	14.1%
Totals for Area of Interest				248.0	100.0%





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## Almond Field Map







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